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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/727,046

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06/30/2006

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EXAMINER

SLAVITT, MITCHELL R

ART UNIT

PAPER NUMBER

2627

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/727,046	<b>Applicant(s)</b> NAKAO ET AL.	
	<b>Examiner</b> Mitchell R. Slavitt	<b>Art Unit</b> 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-3, 6, 7, 11-17, and 23-30 is/are allowed.
- 6) ☒ Claim(s) 9 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 8-10 and 18-22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 4-5 and 8-10 are objected to because of the following informalities:

Regarding claim 10, the specification does not describe "an inspection apparatus" with the details stated in claim 10. Claim 10 rather recites a magnetic tape drive that is shown in Fig 7. Additionally, the beginning of claim 10 states "An inspection apparatus of a head unit moving device..." The underscored portion should be deleted for clarity.

Regarding claims 4-5 and 8-9, the preamble of the claims teach a manufacturing method. The body of the claims should set out the steps comprising the manufacture of an inspection use tape. The applicant's remarks relating to claims 4-5 do not satisfy the requirement that the preamble and body elements be consistent. Claims 8-9 are dependent on claims 4-5. Appropriate correction is required.

2. The amendment filed 3/21/06 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: Claims 18-22 are directed to a combination of elements described in Figures 1 and 7. Applicant is required to cancel the new matter in the reply to this Office Action.

### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the optical sensor in

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claim 10 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Alternatively, the specification (page 13, lines 15-16) may describe the location of the optical sensor in the drawings.

***Allowable Subject Matter***

4. Claims 1-3, 6-7, 11-17, and 23-30 are allowed as the prior art does not teach or suggest the applicant's invention.

Independent claim 1 teaches a method for inspecting a head unit. The distinguishing elements of the claim are: running an inspection use tape in which a servo signal is written so as to meander, displaced in a width direction of a magnetic tape at a predetermined frequency and amplitude; measuring a position of a head unit practically moved in a width direction of said inspection use tape in response to said servo signal; and calculating a difference between the position and a position to be instructed so as to move said head unit in response to said servo signal, wherein said head unit moving device moves said head unit having a servo signal reading head, a data signal recording head, and a data signal reproducing head in the width direction of said magnetic tape in response to said servo signal read from said magnetic tape by said servo signal reading head.

Independent claim 2 teaches a manufacture method of an inspection use tape. The distinguishing elements of the claim are: displacing a servo signal writing head writing a servo signal in a magnetic tape so as to meander in a width direction of said magnetic tape at a predetermined frequency and amplitude, wherein the servo signal is written in said magnetic tape, thereby constituting the inspection use tape.

Independent claim 3 teaches a manufacture method of an inspection use tape. The distinguishing elements of the claim are: displacing a servo signal writing head writing a servo signal in a magnetic tape so as to meander in a width direction of said magnetic tape at a predetermined amplitude and different frequencies, wherein the servo signal is written in said magnetic tape, thereby constituting the inspection use tape.

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**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitchell R. Slavitt whose telephone number is (571) 272-7562. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T. Nguyen can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MS m/s  
6/23/06

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SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600  
6/24/06